

INFORMATION CONCERNING THE SCHEDULING OF BANKRUPTCY HEARINGS, TRIALS, AND MEETINGS OF CREDITORS

All Purpose Week — The week of the third Tuesday of every month is known as “All Purpose Week”. Nearly all case related matters are heard during this week, except final hearings on motions for relief from stay. Matters that are heard during All Purpose Week include disclosure and plan confirmation hearings in chapter 11 cases, chapter 13 confirmation hearings, objections to claims, trustees’ accounts, fee applications, sales of property, objections to claims of exemption and motions to dismiss or convert.

All Purpose Week calendars are usually crowded matters that require only brief hearings. If a matter will require a considerable amount of time, it will not be set for hearing during All Purpose Week.

Trial Weeks — All weeks when the court is sitting, except All Purpose Weeks, are Trial Weeks. Trials of adversary proceedings, evidentiary hearings of contested matters, and final hearings on motions for relief from stay are heard during Trial Weeks. Unless otherwise ordered, trials start at 9:30 a.m. Trial dates are assigned at scheduling and status conferences. These conferences are held at 2:00 p.m. and 3:00 p.m. on Fridays of All Purpose Weeks.

Motions in Adversary Proceedings — Motions in adversary proceedings, including motions to dismiss, motions for summary judgment, and discovery motions, are heard every Friday morning at 10:00 a.m.

Motions for Relief from Stay — Preliminary hearings are held every Wednesday at 3:30 p.m. Final Hearings are scheduled during Trial Weeks. Relief from stay matters are treated as motion practice. A party seeking to offer the testimony of witnesses or trial exhibits must so advise the court and the opposing party at the preliminary hearing of the motion for relief from stay.

Calendar Clerk — To obtain a hearing date call the court’s calendar clerk at (808) 522-8100, ext. 111, or send an Email message to the clerk at bkhi_calendar@ce9.uscourts.gov.

Continuances — Requests to continue trials are routinely denied, even upon stipulation of the parties. The trial calendar is current, and counsel and parties should expect to go to trial during the scheduled Trial Week.

Stipulated requests to continue matters, other than trials, are normally granted.

Temporary Restraining Orders, Cash Collateral hearings and other emergency matters. The court will make every effort to accommodate the needs of the moving party. If appropriate, other matters will be interrupted. Any party seeking an expedited hearing is expected to attempt to give notice to interested parties. Requests for ex parte temporary restraining orders will not be heard, unless the moving party has filed the certificate concerning notice required by Rule 65(b), Federal Rules of Civil Procedure.

Meetings of Creditors — Meetings of creditors are scheduled in cooperation with the Office of the United States Trustee. These are not court hearings. The meetings are held on the islands of

Oahu, Hawaii, Kauai, and Maui. The Bankruptcy Court will set the creditors' meeting for a case at a prearranged time and location, unless the United States Trustee and the debtor have agreed otherwise, and their agreement is made known to the court at the time when the case is filed. The telephone number of the United States Trustee for the District of Hawaii is (808) 522-8150.

Changing the date of a Meeting of Creditors — A party wishing to change the date of a meeting of creditors, after the meeting has been scheduled, should call the trustee in bankruptcy to whom the case has been assigned. The name and telephone number of the trustee appears on the Notice of Commencement of Case, which is mailed to the debtor and to all creditors.